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- **November 19, 2020. OFLC Posts New Adverse Effect Wage Rates Webpage**

On November 5, 2020, the Department of Labor (Department) published a final rule updating the methodology for determining hourly Adverse Effect Wage Rates (AEWR) for non-range agricultural occupations in the H-2A visa program. See Final Rule, *Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States*, 85 FR 70445 (Nov. 5, 2020) (“2020 AEWR Final Rule”). The AEWR is the minimum wage rate the Department has determined must be offered and paid by employers to H-2A workers and workers in corresponding employment to ensure that the employment of H-2A workers does not adversely affect the wages of agricultural workers in the U.S. Beginning on December 21, 2020, H-2A job orders submitted for non-range occupations must comply with the new

methodology.

The Office of Foreign Labor Certification (OFLC) has created a new webpage that consolidates AEWR information for the H-2A program. This webpage contains the monthly AEWR for range occupations, as well as the hourly AEWRs for non-range occupations. The hourly AEWRs for non-range occupations on the new webpage will apply to H-2A job orders submitted on or after December 21, 2020, when the 2020 AEWR Final Rule becomes effective. During the transition to the new methodology, OFLC will also maintain a separate webpage that displays the hourly AEWRs in effect for job orders submitted before December 21, 2020.

- [View the AEWR page for current rates in effect through December 20, 2020](#)
- [View the AEWR page for rates that will go into effect starting December 21, 2020](#)
- [View the published 2020 AEWR Final Rule](#)
- [View the FAQs on the 2020 H-2A AEWR Final Rule](#)

- **November 18, 2020. OFLC Releases the H-2B Foreign Labor Recruiter List for Fiscal Year 2020**

The Office of Foreign Labor Certification (OFLC) has published an updated list of the names of foreign labor recruiters for the H-2B program as required by [20 CFR 655.9\(c\)](#).

The list contains the name and location of persons or entities identified on Appendix C of the Form ETA-9142B that were hired by, or working for, the recruiter that employers have indicated they engaged, or planned to engage, in the recruitment of prospective H-2B workers to perform the work described on their H-2B application.

The H-2B Foreign Labor Recruiter List includes only those names and locations associated with H-2B applications that were processed or issued a final decision during the October 1, 2019, through September 30, 2020, reporting period of FY 2020.

By publishing the foreign labor recruiter list, OFLC is ensuring greater transparency for the H-2B worker recruitment process and facilitating information sharing between the U.S. Department of Labor and other agencies.

- [View the foreign labor recruiter list](#)
- [View FAQs regarding the foreign labor recruiting list](#)

- **November 18, 2020. OFLC Releases Public Disclosure Data and Selected Program Statistics for Fiscal Year 2020**

The Office of Foreign Labor Certification (OFLC) has released a comprehensive set of public disclosure data (through the fourth quarter of fiscal year 2020) drawn from employer applications requesting prevailing wage determinations and labor certifications for the PERM, LCA (H-1B, H-1B1, E-3), H-2A, H-2B, CW-1, and Prevailing Wage programs.

The public disclosure files include all final determinations OFLC issued for these programs during the October 1, 2019, through September 30, 2020, reporting period of fiscal year 2020.

OFLC has also released selected program statistics for the fourth quarter of fiscal year 2020 for the PERM, LCA (H-1B, H-1B1, E-3), H-2A, H-2B, CW-1, and Prevailing Wage programs.